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PATENT APPLICATION

ATTORNEY DOCKET NO. 10004331-1

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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

2638 ✓

Inventor(s): Kenneth A. Nishimura & Jonathan Simon

Serial No.: 10/087,386

Examiner: Dzung D. Tran

Filing Date: 3/1/2002

Group Art Unit: 2638

Title: An Optical Signal Multiplexer/Demultiplexer Employing Pseudorandom Mode Modulation

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

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INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

() under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)

() under 37 CFR 1.97(c) together with either a:
() Statement under 37 CFR 1.97(e), or
() a \$180.00 Processing fee under 37 CFR 1.17(p), or
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)

(X) under 37 CFR 1.97 (d) together with a:
() Statement under 37 CFR 1.97(e), and
(X) a \$180.00 processing fee under 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 50-1078 the sum of \$180.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

(X) Applicant(s) submit herewith Form PTO 1449. References identified with an asterisk (*) were disclosed in Patent Application No. _____ filed _____, now U. S. Patent No. _____, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

() A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 10/3/2005

Typed Name: Sherre Anne Treat

Signature: Sherre Treat

Respectfully submitted,

Kenneth A. Nishimura & Jonathan

By Michael H. Jester ✓

Michael H. Jester

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Confirmation No.: 6282
Ken A. Nishimura et al.)
Patent Appl. No.: 10/087,386) Examiner: Tran, Dzung D.
Filed on: Mar 01, 2002) Group Art Unit: 2633
For: *An Optical Signal Multiplexer/
Demultiplexer Employing
Pseudorandom Mode Modulation*)

STATEMENT UNDER 37 CFR §1.97(e)

MS - AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-4150

Dear Sir:

U.S. Patent No. 3,956,626, as referenced on sheet 6 of 6 of Form PTO-1449 transmitted herewith, was cited in the European Patent Office's Search Report during prosecution of EPO Application No. EP02 02 3243, which is a counterpart to the subject U.S. patent application. A copy of said Report, bearing the August 17, 2005 date stamp of Applicant's foreign patent agents (Forrester & Hoemert), and including the referenced U.S. patent, is transmitted herewith.

Respectfully submitted,

Michael H. Jester
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OCT 05 2005

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